

KS4 Art Lesson Plan



How can we avoid copyright infringement in art?

Lesson 1 of 2

Learning objectives

- To learn about how copyright law applies to art and what constitutes copyright infringement.
- To learn about what constitutes *fair dealing* in using another artist's work.

Study skills

- Develop an understanding of the different purposes, intentions and functions of art, including parody and satire.
- Apply an understanding of parody and satire to students' own work.

Learning outcomes

- Students will demonstrate an understanding of what constitutes copyright infringement, and also the concepts of parody and satire.
- Many students will demonstrate a strong understanding of free dealing and exceptions to copyright law.
- Some students will demonstrate a greater understanding of the complexity of copyright law and be able to debate complex issues about copyright law.

Resources required

- Lesson Presentation 1
- Copyright Infringement Scenarios Handout
- Resources for students to sketch their parody/ satire work

Introduction

Introduce the lesson and the learning objectives. Students discuss the starter question: *How is copyright infringement committed in the art world?* Then talk the students through the information on slides 4-5, looking at how copyright law applies to art and what constitutes 'fair dealing', including parody.

Give students the **Copyright Infringement Scenarios Handout**. They must read the eight scenarios and discuss whether they think each one constitutes copyright infringement, giving explanations for their answers. Then go through the answers on slides 7-10, showing which of them would be classed as copyright infringement, with examples from real-life cases.

Students could be shown images that are involved in these cases. These are: Artwork by Ye Yongqing that was deemed to have plagiarised Christian Silvain; the Shepard Fairey *Hope* poster and the original photograph by Mannie Garcia; Damien Hirst's *Hymn*; the tattoo of Miles Davis by Kat Von D and the source photograph by Jeffrey B. Sedlik.

Main activities

Using the information on slides 11 and 12, discuss with students the idea of parody and satire, and how this is allowed to be used in terms of copyright. Also, look at an unsuccessful parody claim during copyright infringement – Rogers vs Koons.

Examples could be shown for parody, such as classic portraits featuring cats. For satire of works in the public domain, examples could be shown, such as the *Mona Lisa* with a facemask, or *Girl with the Pearl Earring* taking a selfie. Students could also be shown Rogers' *Puppies* and Koons' *String of Puppies* when discussing the unsuccessful claim of parody.

Introduce the main task: they will create a parody of a genre or a satire of a work in the public domain (meaning that

they don't infringe on copyright law). Suggestions for works in the public domain that could be satirised: *Mona Lisa* by Leonardo Da Vinci, *Girl with the Pearl Earring* by Johannes Vermeer, *The Bedroom* by Vincent Van Gogh, and *The Scream* by Edvard Munch. These could be displayed on the board or given to students on a handout.

Suggestions for how they could approach the task:

1. Parody the classical portrait genre, but with an animal, or a clown, or a more modern-looking person.
2. Satirise our modern dependency on technology by recreating *Girl with the Pearl Earring* with AirPods instead of earrings, or *The Bedroom* with electronic devices (e.g. phone, tablet, games console) on the floor.

Plenary

Students do a rough sketch for their parody/satire. They also need to write a few sentences explaining why their work doesn't infringe on copyright.

Useful resources

You may also wish to share the CLA videos with students:

[What Does IP Mean to You?](#)

[Plagiarism](#)

Extension activities / home learning

Students can be encouraged to research this topic further at home. They could learn more about copyright in art by researching any of the following copyright cases which have not been covered in the lesson:

- The Andy Warhol Foundation for the Visual Arts vs Goldsmith: Andy Warhol used a photograph of Prince to create a series of images on the singer for *Vanity Fair*. Lynn Goldsmith only discovered this after Warhol's death in 2016, and she sued the foundation.
- Zara vs Tuesday Bassen (and other artists): American artist Bassen accused the Spanish fashion brand of plagiarising her designs. There have also been other artists who claim that Zara has used their work without consent.

KS4 Art Lesson Plan

How can we avoid copyright infringement in art?

Lesson 2 of 2

Learning objectives

- To learn about how copyright law applies to art and what constitutes copyright infringement.
- To learn about what constitutes *fair dealing* in using another artist's work.

Study skills

- Develop an understanding of the different purposes, intentions and functions of art, including parody and satire.
- Apply an understanding of parody and satire to students' own work.

Learning outcomes

- Students will demonstrate an understanding of what constitutes copyright infringement, and also the concepts of parody and satire.
- Many students will demonstrate a strong understanding of free dealing and exceptions to copyright law.
- Some students will demonstrate a greater understanding of the complexity of copyright law and the be able to debate complex issues about copyright law.

Resources required

- Lesson Presentation 2
- Resources for students to create their artwork

Introduction

Reintroduce the lesson and the learning objectives. Students have a recap discussion about what they learnt last lesson about copyright in art. They are encouraged to use the terms *Intellectual Property; public domain; copyright infringement; plagiarism; fair dealing; parody; and satire*.

Main activities

Remind students of the task they started last lesson, creating their own parody or satire in a way that doesn't infringe on copyright law. Show them information on slides 4-6 to support this.

Students then do a final version or sketching of their parody or satire piece.

Plenary

Based on what they have learnt over the two lessons, students write down 3-5 rules or points that will help artists avoid copyright infringement.

Useful resources

You may also wish to share the CLA videos with students:

[What Does IP Mean to You?](#)

[Plagiarism](#)

Extension activities / home learning

Students can be encouraged to research this topic further at home. They could learn more about A.I.-generated art, and the complexities of copyright for this. This could include:

- The case of the three artists – Kelly McKernan, Sarah Anderson and Karla Ortiz – who are taking legal action for copyright infringement against the A.I. image generators Midjourney, Stable Diffusion and DreamUp.
- Getty Images suing Stable Diffusion for allegedly stealing its photographs.
- The controversy around the selling of *Portrait of Edmond Belamy*, an artwork that sold for \$432,500 in 2015. This was created by an algorithm that used a database of 15,000 existing pieces of art.